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<b>TRANSMITTAL FORM</b>  <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/669,236	
	Filing Date	9/25/2000	
	First Named Inventor	WOLFRUM, JURGEN	
	Group Art Unit	1656	
	Examiner Name	Jeffrey SIEW	
Total Number of Pages in This Submission	22	Attorney Docket Number	8070PA01

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): <div style="border: 1px solid black; padding: 5px; margin-top: 5px;">         Motion to Withdraw as Attorneys (original and 2 copies - 21 pp.); return postcard       </div>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	JAMES W. MC CLAIN Reg. No. 24,536
Signature	
Date	August 13, 2002

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the U. S. Postal Service as first class mail in an envelope addressed to: U.S. Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202 on this date: 08/13/2002			
Typed or printed name	Karen L. Johnson		
Signature		Date	August 13, 2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



#6/Withdrawal RA  
max  
9/18/02

PATENT

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. National Stage  
Patent Application  
Ser No. 09/669,236

Based on: PCT/EP99/02242

Filed: September 25, 2000

Applicants: Jürgen Wolfrum et al.

) For: METHOD AND DEVICE FOR  
) QUANTIFYING DNA AND RNA

) Group Art Unit: 1656

) Examiner: Jeffery Siew

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MOTION TO WITHDRAW AS ATTORNEYS

BOX NO FEE  
Commissioner for Patents  
P.O. Box 2327  
Arlington, VA 22202

Dear Sir:

This is a Motion to Withdraw as Attorneys for Registrants pursuant to 37 C.F.R.  
§§ 1.36 and 10.40 and M.P.E.P § 402.06.

I hereby certify that this correspondence is being deposited with the  
United States Postal Service as first class mail in an envelope addressed  
to: Commissioner for Patents, Washington, DC 20231 on:

August 13, 2002

(Mailing Date)

Karen L. Johnson

(Registered Representative)

*Karen L. Johnson*  
(Signature)

August 13, 2002

(Date of Signature)

The undersigned attorneys of record, Neil F. Martin et al., hereby request permission to withdraw as attorneys for Applicants Jürgen Wolfrum et al. (collectively hereinafter referred to as "the clients").

The last known mailing address of the clients is:

Jürgen Wolfrum et al.  
c/o Dr. Malte Köllner  
Köllner Kewitz Hrovat, Patentanwälte  
Robert-Bosch-Str.7  
64293 Darmstadt  
Germany

This Motion for Withdrawal is submitted in triplicate (original and two copies) and is based on 37 C.F.R. §§ 10.40(a) and 10.40(b)(4). The requirements of § 10.40(a) have been met.

The facts upon which this Motion is based are as follows. The Applicants are Germany nationals who filed a PCT application in the European Patent Office. Through their German patent attorneys Köllner Kewitz Hrovat the undersigned attorneys were requested to file the present U.S. national phase application, which was done on September 25, 2000. More recently, on December 20, 2001, Dr. Köllner of the Köllner firm, on behalf of the Applicants, instructed our firm to transfer the file and responsibility for further proceedings to the law firm of Henry M. Feiereisen LLC in New York City. A copy of Dr. Köllner's letter is attached.

This firm did transfer the file to Mr. Feiereisen on January 16, 2002, to the attention of Registered Patent Attorney Ursula B. Day of that firm, and her acknowledgment of receipt and transfer of responsibility dated January 17, 2002 was returned to us. Copies of both documents are also attached hereto.

The attorneys of this firm have not, however, since then received any notice from the Feiereisen firm, Applicants or the USPTO that our original appointment as attorneys of record has in fact been revoked in favor of the Feiereisen firm's attorneys.

In view of the above, therefore, the attorneys of this firm, through the

undersigned member of the firm, hereby request that the USPTO accept our withdrawal of representation of Applicants in this application under the mandatory withdrawal provisions of 37 C.F.R. § 10.40(b)(4), effective January 17, 2002, the date of Mr. Feiereisen's receipt and acknowledgment of the transfer.

This Motion is submitted in triplicate and is signed by James W. McClain, Registration No. 24,536, behalf of all attorneys of record of the firm of Brown, Martin, Haller & McClain LLP, including but not limited to Neil F. Martin, Registration No. 23,088; John L. Haller, Registration No. 27,795; and James W. McClain, Registration No. 24,536.

It is the undersigned attorneys' belief that no fee is required for the filing or consideration of this Motion. Should any such fee be required, however, the Patent and Trademark Office is authorized to charge Deposit Account No. 02-4070 for such fee. A duplicate copy of this Motion is enclosed in connection with the charge to the Deposit Account.

Respectfully submitted,

Date: August 13, 2002

By: 

James W. McClain, Reg No. 24,536  
Attorney for Applicants  
(On his own behalf and on behalf of  
the other attorneys of the firm)

Atts. (3)

BROWN, MARTIN, HALLER & McCLAIN  
1660 Union Street  
San Diego, California 92101

Telephone: (619) 238-0999  
Facsimile: (619) 238-0062  
Docket No. 8070 PA 01



# Köllner & Kewitz

Patentanwälte

Köllner & Kewitz · Robert-Bosch-Straße 7 · D-64293 Darmstadt

Brown, Martin, Haller & McClain, LLP  
attn.: James W. McClain  
1660 Union Street  
San Diego, California 92101-2926

USA

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Date December 20, 2001  
Your Ref. 8070-PA01  
Our Ref. ATPT00056WOUS  
National phase application in the U S A 09/669,236 based on PCT/EP99/02242  
Title: Method and Device to Quantify DNA and RNA  
Applicant: Prof. Dr. Jürgen Wolfrum, Dr. Markus Sauer, et al.

Dear Mr. McClain:

please transfer the entire above mentioned file to following law firm:

Henry M. Feiereisen, LLC  
Intellectual Property Services  
The Empire State Building  
350 Fifth Avenue  
Suite 3220  
New York 10118

Thank you for your assistance in this matter.

Sincerely yours,

(Dr. Malte Köllner)  
(European Patent / Trademark Attorney)

Encs.:  
none



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January 16, 2002

Henry M. Feiereisen, LLC  
The Empire State Building  
350 Fifth Avenue, Suite 3220  
New York, NY 10118

**VIA FEDERAL EXPRESS**

Attention: Ursula B. Day

**Re: U.S. Patent Application for "METHOD AND DEVICE TO QUANTIFY DNA  
AND RNA"**  
**Serial No.: 09/669,236 - Filed: September 25, 2000**  
**Inventor(s): Jürgen WOLFRUM et al.**  
**Our Ref.: 8070-PA01**

Dear Ms. Day:

In accordance with the instructions from Dr. Malte Köllner, we are enclosing the file of the above-identified patent application, containing.

- Communications to and from the United States Patent and Trademark Office including an Office Action with a response due date of **February 26, 2002**.
- Copy of the application as filed.
- Copies of all of the references cited in the case.
- Copies of communications with Köllner & Kewitz.

Please sign and date the attached sheet indicating your receipt of the file and return the signed sheet to me.

Henry M. Feiereisen, LLC  
January 16, 2002  
Page 2

As noted above, there is pending in this application an Office Action from the U.S. Patent and Trademark Office dated November 26, 2001, which has an initial response date of **February 26, 2002**. In accordance with Dr. Köllner's instructions to transfer this case to you, all responsibility for responding to this Office Action will henceforth be with you.

Please do not hesitate to contact my associate, Dr. Colleen McKiernan, or me if you have any questions.

Sincerely yours,



James W. McClain

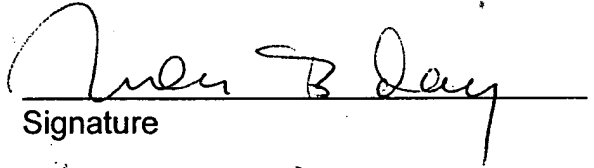
JWM:CJM:mjl  
cc: Köllner & Kewitz (w/o enc.)

Henry M. Feiereisen, LLC  
January 16, 2002  
Page 3

Re: **U.S. Patent Application for "METHOD AND DEVICE TO QUANTIFY DNA  
AND RNA"**  
**Serial No.: 09/669,236 - Filed: September 25, 2000**  
**Inventor(s): Jürgen WOLFRUM et al.**  
**Our Ref.: 8070-PA01**

The signature below verifies receipt of the **above referenced file**. and that  
Henry M. Feiereisen, L.L.C. has assumed full responsibility for all matters regarding this  
patent application.

Jan 17, 2002  
Date

  
Signature  
Ursula B. Day  
Printed Name